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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,069	01/31/2002	Liqin Dong	CISCP744	2503
26541	7590	07/28/2008	EXAMINER	
Cindy S. Kaplan P.O. BOX 2448 SARATOGA, CA 95070			NG, CHRISTINE Y	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			07/28/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	<b>Application No.</b> 10/066,069	<b>Applicant(s)</b> DONG ET AL.	
	<b>Examiner</b> CHRISTINE NG	<b>Art Unit</b> 2616	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 16 June 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: \_\_\_\_\_.
- Claim(s) objected to: \_\_\_\_\_.
- Claim(s) rejected: 1,3,5-12,15-18 and 20-24.
- Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_
13. ☐ Other: \_\_\_\_\_.

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 Supervisory Patent Examiner, Art Unit 2616

Continuation of 3. NOTE: Su et al disclose in Figures 3 and 4 a system of assigning a unique path ID (unique key or hash value) to paths having a common IP destination address. All paths leading to a common destination have the same unique key or hash value and can be assigned to a common hardware (communication channel or link) for transmission, according to Table 1. The hash value is based on a hash function that provides a mathematical formula that generates unique numbers for packets sharing a common IP destination address. The hash value therefore comprises a IP destination address since it is based on the IP destination address. Refer to Column 4, line 7 to Column 6, line 26. Furthermore, although Su et al do not disclose that the system also comprises MPLS paths, Ors et al disclose in Figure 1 a similar system in which an IP network comprises a switching node 46 that communicates with all the end systems 44 using an IP multicast communication system. The switching node 46 assigns a unique IP multicast label (MPLS label) to each MPLS path in the network and assembles the labels into a routing table. Each MPLS path is unique in that each leads to one of the two different intermediate destinations (LER 50 and LSR 52) using one of the three QoS. All cells destined to the same intermediate destination using the same QoS can use the same label and flow together to their same destination. Refer to Column 6, lines 39-60; and Column 8, line 35 to Column 9, line 43. Specifically, switching node 46 "sends the requested MPLS label routing information to the end user by a multicast communication by assembling an IP packet containing the requested MPLS label routing information..." (Column 9, lines 33-36). Therefore, Ors et al disclose an IP system that assigns a unique MPLS IP multicast label (path ID) to cells destined to a common destination. In response to the argument for Doty, Jr, IP unicast addresses are inherently assigned a different prefix than IP multicast addresses. Su et al disclose that examples of destination IP addresses include 193.23.33.6, 168.23.45.16, 127.188.169.70, and 127.188.169.90, which are unicast IP addresses. Refer to Column 4, lines 62-67 and Column 5, lines 59-63. Doty, Jr disclose that multicast IP addresses range from 224-239. Refer to Column 2, line 56 to Column 3, line 3.